## STATE OF CALIFORNIA WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS

## PERMIT FOR DIVERSION AND USE OF WATER

19500 Skyline Boulevard, Woodside, CA   94062	Application 29540 of Gerda Isenberg									
Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.  Permittee is hereby authorized to divert and use water as follows:  1. Source: Tributary to:  Unnamed Spring Unnamed Stream thence  Woodruff Creek thence  La Honda Creek thence  San Gregorio Creek  2. Location of point of diversion:  Section of point of diversion:  Section of projection thereof Section	19500 Skyline Boulevard, Woodside, CA 94062									
1. Source: Tributary to:  Unnamed Spring										
Unnamed Spring	Permittee is hereby authorized to divert and use water as follows:									
Woodruff Creek thence  La Honda Creek thence  San Gregorio Creek  2. Location of point of diversion:  Off Party and Party Information of Party P	1. Source:			Tributary to:						
La Honda Creek thence  San Gregorio Creek  2. Location of point of diversion:  Of Public land Survey of Periodical Charges Section Town Range Section	Unnamed Spring			Unnamed Stream thence						
2. Location of point of diversion:    Add-acry_subdivision   Section   Town-Range   Residian	The state of the s	Woodruff Creek thence								
2. Location of point of diversion:  40-sere subdivision of public land survey of section along the projection thereof of projection thereof survey.  NORTH 309,960 FEET AND EAST 1,492,150 FEET  NUM, OF SEX  12 7S 4M MD  County of San Mateo  County of San Mateo  4. Place of use:  FROST PROTECTION  HEAT CONTROL  IRRIGATION  NUM, OF SEX  12 7S 4W MD  5 NUM, OF SEX  12 7S 4W MD  5 SEX OF NEX  12 7S 4W MD  3 SEX OF NEX		**************************************	La Honda Creek thence							
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NORTH 300, 260 FEFT AND EAST 1, 492, 150 FEET  BY CALIFORNIA COORDINATE SYSTEM, 20NE 3  NWL OF SEL  12 7S 4W MD  County of San Mateo  County of San Mateo  4. Place of use: Section Ship Range Base and Beridian Acre  FROST PROTECTION  HEAT CONTROL  IRRIGATION  NWL OF SEL  12 7S 4W MD 5  NEL OF SEL  12 7S 4W MD 3  SEL OF NEL  12 7S 4W MD 3										
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County of San Mateo  3. Purpose of use:  4. Place of use:  Section Ship Range and and seridian seridian  FROST PROTECTION  HEAT CONTROL  IRRIGATION  NUK OF SEK  12 78 4W MD 5  NEK OF SEK  12 78 4W MD 3  SEK OF NEK  12 78 4W MD 3	2. Location of point of diversion:			40-acre subdit of public lan or projection	vision d survey thereof	Section	Town shi	n- Range	and	
3. Purpose of use:  4. Place of use:  Section Flown-Range Range and Heridian  FROST PROTECTION  HEAT CONTROL  IRRIGATION  NWL OF SEL 12 7S 4W MD 5  NEL OF SEL 12 7S 4W MD 3  SEL OF NEL 12 7S 4W MD 3	NORTH 309,960 FEET AND EAST 1,492,150 FEET BY CALIFORNIA COORDINATE SYSTEM, ZONE 3		NW12 OF SE12		12	75	4W	MD		
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FROST PROTECTION  HEAT CONTROL  IRRIGATION  NW½ OF SE½  NE½ OF SE½  12 7S 4W MD 3  SE½ OF NE½  12 7S 4W MD 3	County of San Mateo									
HEAT CONTROL	3. Purpose of use:	4. Place o	of use:		Section	Town- ship	Range	Base and Meridian	Acre	
HEAT CONTROL	FROST PROTECTION									
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NE's OF SE's 12 7S 4W MD 3  SE's OF NE's 12 7S 4W MD 3								<u> </u>		
SEL OF NEL 12 7S 4W MD 3	IRRIGATION	NW½ OF :	SE½		12	7S	4W	MD	5	
	·	NE' OF	SEZ		12	78	4W	MD	3	
SW-2 OF NE-2 12 7S 4W MD 1		SEL OF 1	NE'z		12	78	4W	MD	3	
		SW½ OF I	NE <sub>L</sub>	· · · · · · · · · · · · · · · · · · ·	12	78	4W	MD	1	

The place of use is shown on map on file with the State Water Resources Control Board.

WRCB 14 (6-90)

- 5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 12,000 gallons per day by direct diversion from November 1 of each year to April 1 of the succeeding year. The total amount of water to be taken from the source shall not exceed 5.6 acre-feet per water year of October 1 to September 30.
- 6. The amount authorized for appropriation may be reduced in the license if investigation warrants. (0000006)
- 7. Complete application of the water to the authorized use shall be made by December 31, 1995.

(0000009)

- 8. Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until a license is issued. (0000010)
- 9. Permittee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit. (0000011)
- 10. Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

11. The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in ater quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

- State Water Resources Control Board reserves jurisdiction to impose conditions to conform this permit to Board policy on use of water for frost protection. Action by the Board will be taken only after notice to interested (0000020) parties and opportunity for hearing.
- 13. Rights under this permit are, and shall be, specifically subject to existing rights determined by the San Gregorio Creek Stream System Adjudication, Superior Court, San Mateo County, Decree No. 355792 insofar as said adjudicated rights are (0000023) maintained.
- 14. No water shall be diverted under this permit unless the following bypass flows, or the bypass flows specified in Decree No. 355792 of the San Gregorio Creek Stream System Adjudication (whichever are higher), are maintained at the U.S.G.S. San Gregorio Gage:
- (a) A minimum of two cubic feet per second from November 1 to November 30.
- A minimum of 10 cubic feet per second from December 1 to April 1, except the entire streamflow shall be bypassed for 5 consecutive days after a storm causes streamflow to rise above 50 cubic feet per second.

The entire streamflow shall be bypassed when it is less than the designated (0140060)amounts in (a) and (b).

## This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article did the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated:

**DECEMBER 0 9 1991** 

WATER RESOURCES CONTROL BOARD

eV, Division of Water Rights